

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

9

DECISION

TOPIC

Final Rule--Chapter 51, Game Management Areas

This rule change is intended to clarify the use of horses on game management areas. Horses are prohibited on game management areas except: 1) when used for training raccoon hunting dogs from October 1 to February 1 and for raccoon hunting during open hunting seasons, 2) for participating in authorized field trials, and 3) for pleasure riding between the dates of May 25 to September 30 on existing roads and trails on specific game management areas. DNR game management areas are managed with federal aid funding from the U.S. Fish & Wildlife Service. These changes allow for a limited amount of horse use on game management areas during times that do not interfere with primary management purposes for these areas and without jeopardizing federal aid funding. This rule change also prohibits the use of paintball guns on all game management areas and adds code citations to chapter 51.7(2) which authorizes handicapped persons to be permitted to use ATV's and snowmobiles for hunting on game management areas.

Ken Herring, Administrator
Conservation & Recreation

February 8, 2006

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 51, "Game Management Areas," Iowa Administrative Code.

These amendments are intended to clarify the use of horses on game management areas, prohibit the use of paintball guns on game management areas, and clarify that handicapped persons can be permitted to use ATV's and snowmobiles on game management areas. Horses are prohibited on game management areas except: 1) when used for training raccoon hunting dogs from October 1 to February 1 and for raccoon hunting during open hunting seasons, 2) for participating in authorized field trials, and 3) for pleasure riding between the dates of May 25 to September 30 on specific game management areas. The use of paintball guns is prohibited on all game management areas. These rules allow for limited horse use on certain game management areas during times that are compatible with the primary management purposes of these lands and without jeopardizing federal aid funding. Amendments to subrule 51.7(2) clarify that handicapped persons may be permitted to use ATV's and snowmobiles in addition to cars and trucks for hunting on game management areas.

Notice of Intended Action was published in the Iowa Administrative Bulletin on August 30, 2006, as ARC 5353B. A public hearing was held on September 27, 2006. As a result of comments received and additional staff review, two changes have been made to the Notice of Intended Action. Rule 51.4(481) was deleted and replaced with a new rule 51.4(481A). Appropriate code sections were added to subrule 51.7(2) which authorize permitted handicapped persons to use ATV's and snowmobiles for hunting on game management areas.

These amendments are intended to implement Iowa Code section 481A.6.

These amendments shall become effective April 4, 2007.

The following amendments are adopted.

ITEM 1. Amend rule 571--51.1(481A) by adopting the following **new** definition in alphabetical order:

"Horse" means any equine animal including horses, mules, burros, donkeys, and all llamas or alpaca-like animals.

ITEM 2. Amend rule 571--51.3(481A) by adopting the following **new** subrule:

51.3(2) Use of paintball guns. The use of any item generally referred to as a paintball gun is prohibited on all game management areas.

ITEM 3. Renumber rules 571--51.4(481A) to 571--51.11(481A) as 571--51.5(481A) to 571--51.12(481A) and adopt the following **new** rule:

571--51.4(481A) Use of horses on game management areas.

51.4(1) Prohibition. Horses are prohibited on all game management areas unless allowed by exception. This rule does not apply to State Forests or State Recreation Areas.

51.4(2) Exception for hunting and field trials. Horses may be used on all game management areas for training raccoon hunting dogs from October 1 to February 1 and for hunting raccoons during open hunting seasons. Horses may be used for participating in authorized field trials, unless posted as prohibited.

51.4(3) Exception for horseback riding. Horseback riding is allowed on the following game management areas between the dates of May 25 and September 30 and confined to existing roads or trails as posted:

- (1) Elk Grove Wildlife Area – Guthrie County
- (2) Lennon Mills Wildlife Area – Guthrie County
- (3) Marlow Ray Wildlife Area – Guthrie County
- (4) Middle Raccoon River Wildlife Area – Guthrie County
- (5) Sand Creek Wildlife Area – Decatur and Ringgold Counties
- (6) Cardinal Marsh – Winneshiek County
- (7) Hawkeye Wildlife Area – Johnson County
- (8) Black Hawk Wildlife Area – Sac County
- (9) Turkey River Wildlife Area – Howard County

ITEM 4. Amend subrule 51.7(2)”a” as follows:

a. Definitions. For the purposes of this subrule, the following definition shall apply: “Motor vehicle” means any self-propelled vehicle having at least three wheels and registered as a motor vehicle under Iowa Code chapter 321, 321I, or 321G.

Date

Richard A. Leopold, Director

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